

**DETERMINATION AND FINDINGS  
FOR AN  
EMERGENCY PROCUREMENT**

**CONTRACT NO.:** DCKA-2015-C-0055  
**CAPTION:** Emergency Utility Marking Contract  
**CONTRACTOR:** Insight LLC  
**AGENCY:** District Department of Transportation (DDOT)

**FINDINGS**

**1. AUTHORIZATION:**

Section 405 of the PPRA, D.C. Law 18-371, DC Official Code 2-354.05 et seq., 27 DCMR 1712.

**2. MINIMUM NEED:**

The Department of Transportation (DDOT) Traffic Operations Administration (TOA) has a continuing for the Contractor to investigate, locate, and mark DDOT's Street Lighting and Traffic Signal utilities at the request of homeowners, excavators and developers as disseminated by the One Call Center (Miss Utility).

**3. ESTIMATED REASONABLE PRICE:**

\$321,063.00

**4. FACTS WHICH JUSTIFY EMERGENCY PROCUREMENT:**

- A. Under Contract DCKA-2010-C-0120, Insight LLC had the Contractor's responsibility to ensure, prior to any construction occurring in the District of Columbia, proper investigation and marking of the District's utilities occurred. The utilities include conduits and direct cables buried on both public and private property as well as marking of street lights, traffic signals and telephone communications.
- B. The District of Columbia is a member of a One Call System (Miss Utility). Service Request from developers, excavators and the general public who are contemplating excavation, are generated by calls to the One Call Center, who in turn, relayed the request to the Contractor to proceed with fulfilling the request.
- C. On July 13, 2015, the final option period of the Contract expired. OCP, in preparation of this, had been in communication with TOA regarding the impending expiration to request guidance in terms of issuing a new solicitation for a follow-on agreement since March 2015. Due to a lack of clarity within the administration as to which sub-group was to be responsible for the follow-on action, OCP was unable to proceed with any type of procurement which would have ensured the continuity of services. On June 3, 2015, OCP advised TOA that a lapse in service was likely and that short-term, interim procurement could implemented, if so desired by TOA. That option was not utilized by the administration and thus, without further action, the contract lapsed.
- D. Despite this, it remains that the services provided by the Contractor are integral to the District's operations as well as to the safety and security of its residents and visitors. The damage that could arise from unmarked or mislabeled utilities could lead to damage of the District utilities

under DDOT's purview, which could lead to more significant harm to the overall infrastructure. And in terms of excavation, the potential of bodily harm or death facing personnel working underground is significant should related utilities not be properly denoted.

- E. DDOT does not have the capability to perform the investigations and subsequent markings, as executed by the Contractor. Thus, the services of Insight, LLC are necessary to ensure

**5. CERTIFICATION BY AGENCY HEAD:**

I hereby certify that the above findings are true, correct and complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leif Dormsjo, Director  
District Department of Transportation

**6. CERTIFICATION BY CONTRACTING OFFICER**

I have reviewed the above findings and certify that they are sufficient to justify the use of the emergency method of procurement under the cited authority.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Courtney B. Lattimore  
Deputy Chief Contracting Officer

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process. Accordingly, I determine that the District is justified in using the emergency method of procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
George A. Schutter,  
Chief Procurement Officer  
Office of Contracting & Procurement